

REMARKS

A. Amendments

The Applicants noticed, in preparing this response, that the Claims filed in the Preliminary Amendment, dated October 10, 2006, included two Claims numbered 14. The Applicants have renumbered the Claims such that there is only one Claim 14.

The Applicants have canceled Claims 13 through 26. The Applicants have deleted the terms “solvate” and “hydrate” from Claims 1, 10, and 12. The Applicants have replaced “p38” with “p38 α ” in Claim 12. Support for this amendment can be found on page 123, line 18 of the Specification. The wording “or prevention” has also been deleted from Claim 12.

B. Claim Rejections – 35 USC §112

Claims 1-10, and 12-25 have been rejected under 35 USC §112 as failing to comply with the written description requirement, as the Office contends that “hydrates” is not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventors, at the time the application was filed, had possession of the claimed invention. Claims 1, 10 and 12 have been amended to remove the term “hydrate.” The Applicants believe that this rejection has therefore been overcome.

C. Claim Rejections – 35 USC §112

Claims 1-10, and 12-25 have been rejected under 35 USC §112 as failing to comply with the enablement requirement, as the Office contends that the specification is not enabling for the making of solvates or hydrates. Claims 1, 10 and 12 have been amended to remove the terms “solvate” and “hydrate.” The Applicants believe that this rejection has therefore been overcome.

D. Claim Rejections – 35 USC §112

Claims 12-25 have been rejected under 35 USC §112 as failing to comply with the enablement requirement, as the Office contends that the specification, while being enabling for the inhibition of p38 α , is not enabling for “treating HIV, Alzheimer’s disease, Parkinson’s disease, and etc.” Claims 13 through 26 have been canceled, and Applicants believe that this rejection has therefore been overcome.

E. Claim Rejections – 35 USC §112

The Applicants agree to file a terminal disclaimer to overcome obviousness-type double patenting rejection in light of US2006/0004025, if such a terminal disclaimer is required once the Claims have been deemed allowable.

F. Conclusion

The Applicants believe that the Office's rejections have been overcome by the amendments set forth herein, and respectfully assert that the Application is now in condition for allowance. The Applicants invite the Examiner to contact the Applicants' undersigned representative at (312) 913-3319 if the Examiner believes that this would expedite prosecution of this application.

Respectfully submitted,

Date: October 7, 2008

By: /Marcia Ireland Rosenfeld/

Marcia Ireland Rosenfeld
Reg No. 60,679
McDonnell Boehnen Hulbert & Berghoff LLP
300 S. Wacker Drive
Chicago, IL 60606
(312) 913-3319